

AMENDED IN SENATE JANUARY 6, 2014

SENATE BILL

No. 178

Introduced by Senator Correa

February 6, 2013

An act to ~~amend Section 798.2 of the Civil Code, relating to mobilehomes.~~ *add Section 234.6 to the Education Code, relating to bullying.*

LEGISLATIVE COUNSEL'S DIGEST

SB 178, as amended, Correa. ~~Mobilehomes. Bullying:~~ *Michael J. Berry Peer Abuse Prevention Advisory Council.*

Existing law defines "bullying" as any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, as defined, and including one or more acts of sexual harassment, threats, or intimidation, directed against school district personnel or pupils, committed by a pupil or a group of pupils, that would cause a reasonable pupil, as defined, to be in fear of harm to his or her person or property, to experience a substantially detrimental effect on his or her physical or mental health, to experience substantial interference with his or her academic performance, or to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.

This bill would enact the Michael Joseph Berry Peer Abuse Prevention and Awareness Act of 2014, pursuant to which the Michael J. Berry Peer Abuse Prevention Advisory Council would be established by the Superintendent of Public Instruction and would be required to provide input, information, and technical assistance to the Superintendent on issues related to bullying and peer abuse, as specified. The bill would

require the Superintendent to appoint members to the advisory council, which would include individuals who have experience in specified areas, including, among others, social media and behavioral health services. The bill would specify the goals and objectives of the advisory council and would require the Superintendent to make certain recommendations to school districts related to issues of bullying and peer abuse. The bill would provide that it is only operative to the extent that funding is appropriated in the annual Budget Act or if the Superintendent determines that sufficient funding is available for implementation of its provisions.

~~Existing law, the Mobilehome Residency Law, governs tenancies in mobilehome parks, and imposes various duties on the owners of mobilehome parks and the agents and representatives authorized to act on behalf of the owners.~~

~~This bill would make a nonsubstantive change to these provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. (a) This act shall be known, and may be cited,
- 2 as the Michael Joseph Berry Peer Abuse Prevention and Awareness
- 3 Act of 2014.
- 4 (b) It is the intent of the Legislature to enact legislation to
- 5 establish a Michael J. Berry Peer Abuse Prevention Advisory
- 6 Council that shall address issues relating to bullying and peer
- 7 abuse, with a particular focus on issues that impact pupils in
- 8 kindergarten and grades 1 to 12, inclusive, and their families,
- 9 peers, and communities.
- 10 SEC. 2. Section 234.6 is added to the Education Code, to read:
- 11 234.6. (a) The Superintendent shall establish the Michael J.
- 12 Berry Peer Abuse Prevention Advisory Council, which shall
- 13 provide input, information, and technical assistance to the
- 14 Superintendent on issues related to bullying and peer abuse,
- 15 including, but not limited to, the implementation of Section 234.5.
- 16 (b) (1) Members of the advisory council shall include
- 17 individuals who have experience in areas including, but not
- 18 necessarily limited to, all of the following:
- 19 (A) Social media, such as texting, blogging, chat rooms, and
- 20 other forms of cyber communications.

1 (B) Behavioral health services.

2 (C) Crisis prevention and intervention services.

3 (D) Suicide prevention and intervention services.

4 (E) Providing services in a linguistically and culturally
5 competent manner.

6 (2) Members of the advisory council shall be appointed by the
7 Superintendent, and serve at his or her pleasure. Members of the
8 advisory council shall be reimbursed only for reasonable expenses
9 associated with the performance of their duties, and shall not
10 receive any salary, per diem, or other compensation.

11 (c) The goals and objectives of the advisory council shall
12 include, but are not necessarily limited to, all of the following:

13 (1) Providing technical assistance to the department, school
14 districts, and other appropriate entities on best practices,
15 strategies, and other interventions that may assist in reducing the
16 incidence of bullying and peer abuse.

17 (2) Providing recommendations to pupils, families, school
18 personnel, and other stakeholders for accessing existing resources
19 and supports that are related to bullying and peer abuse.

20 (3) Providing recommendations to the department for improving
21 the collection and analysis of data related to bullying and peer
22 abuse, and antibullying communication strategies, such as a
23 bullying prevention hotline.

24 (4) Developing recommendations on bullying prevention
25 measures that a school district may include on a school district's
26 Internet Web site, in any revision of a school's comprehensive
27 school safety plan, and in any new material developed on issues
28 related to bullying or peer abuse, such as a school's annual parent
29 notification.

30 (d) The Superintendent shall recommend that a school district
31 include information about the advisory council's activities and
32 recommendations on the school district's Internet Web site, in any
33 revision of a school's comprehensive school safety plan, and in
34 any new material developed that relates to issues of bullying or
35 peer abuse, such as a school's annual parent newsletter.

36 (e) The Superintendent shall recommend that a school district
37 provide information on the school district's Internet Web site to
38 all pupils who are involved in any complaint procedure related to
39 peer abuse, bullying, harassment, or discrimination, and to their
40 families.

1 (f) *This section shall be operative in any fiscal year to the extent*
2 *that funding is appropriated in the annual Budget Act or if the*
3 *Superintendent determines that sufficient funding is available for*
4 *implementation of this section.*

5 SECTION 1. ~~Section 798.2 of the Civil Code is amended to~~
6 ~~read:~~

7 ~~798.2. “Management” means the owner of a mobilehome park~~
8 ~~or an agent or representative authorized to act on his or her behalf~~
9 ~~in connection with matters relating to a tenancy in the park.~~